



ORDINANCE NUMBER 2158

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW MOTOR VEHICLE SALES, INSTALLATIONS, AND REPAIR AT 2430 VALLEY VIEW LANE WITHIN THE FREEWAY SUBDISTRICT OF THE PLANNED DEVELOPMENT NUMBER 70 (PD-70) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to amendments to the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow motor vehicle sales, installations, and repair on a 1.5 acre tract located at 2430 Valley View Lane and within the Freeway Subdistrict of the Planned Development Number 70 (PD-70) zoning district.

SECTION 2. That said motor vehicle sales, installations, and repair shall be constructed and operated in the manner shown on the approved site plan attached as Exhibit "A".

SECTION 3. That the motor vehicle sales, installations, and repair shall be operated in conformance with the following conditions:

1. That the only types of motor vehicles that may be sold, repaired or worked on in any way shall be motorcycles.
2. That all installation, customization and repair work be conducted exclusively within the building.
3. That the height of the proposed pole sign comply with the requirements of Ordinance No. 2111.

SECTION 4. That, in accordance with Ordinance 2111, amending the Comprehensive Zoning Ordinance and establishing the Old Farmers Branch Special District (Planned Development No. 70), the Planning and Zoning Commission has granted special exceptions to the pole sign regulations: (1) an increase in sign area from 200 to 300 square feet, (2) a decrease in the setback along the Stemmons Freeway right-of-way from 30 feet to 5 feet, and (3) a reduction in the amount of landscaped area to be provided at the base of the sign from 300 square feet to 150 square feet.

SECTION 5. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas as herein amended by the granting of a Specific Use Permit for motor vehicle sales, installations, and repair at 2430 Valley View Lane.

SECTION 6. Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

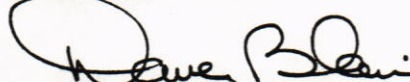
SECTION 7. If any section, paragraph, subdivision, clause, phrase, provision, or word of this ordinance shall be judged invalid or unconstitutional such judgement shall not affect the remainder of this ordinance.

SECTION 8. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 9. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, and as the law in such case provides.

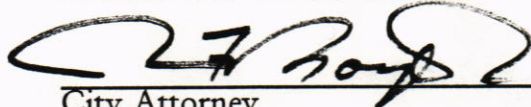
Duly passed by the City Council of the City of Farmers Branch, Texas, on this 5th
City of December, 1994.

APPROVED:



Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



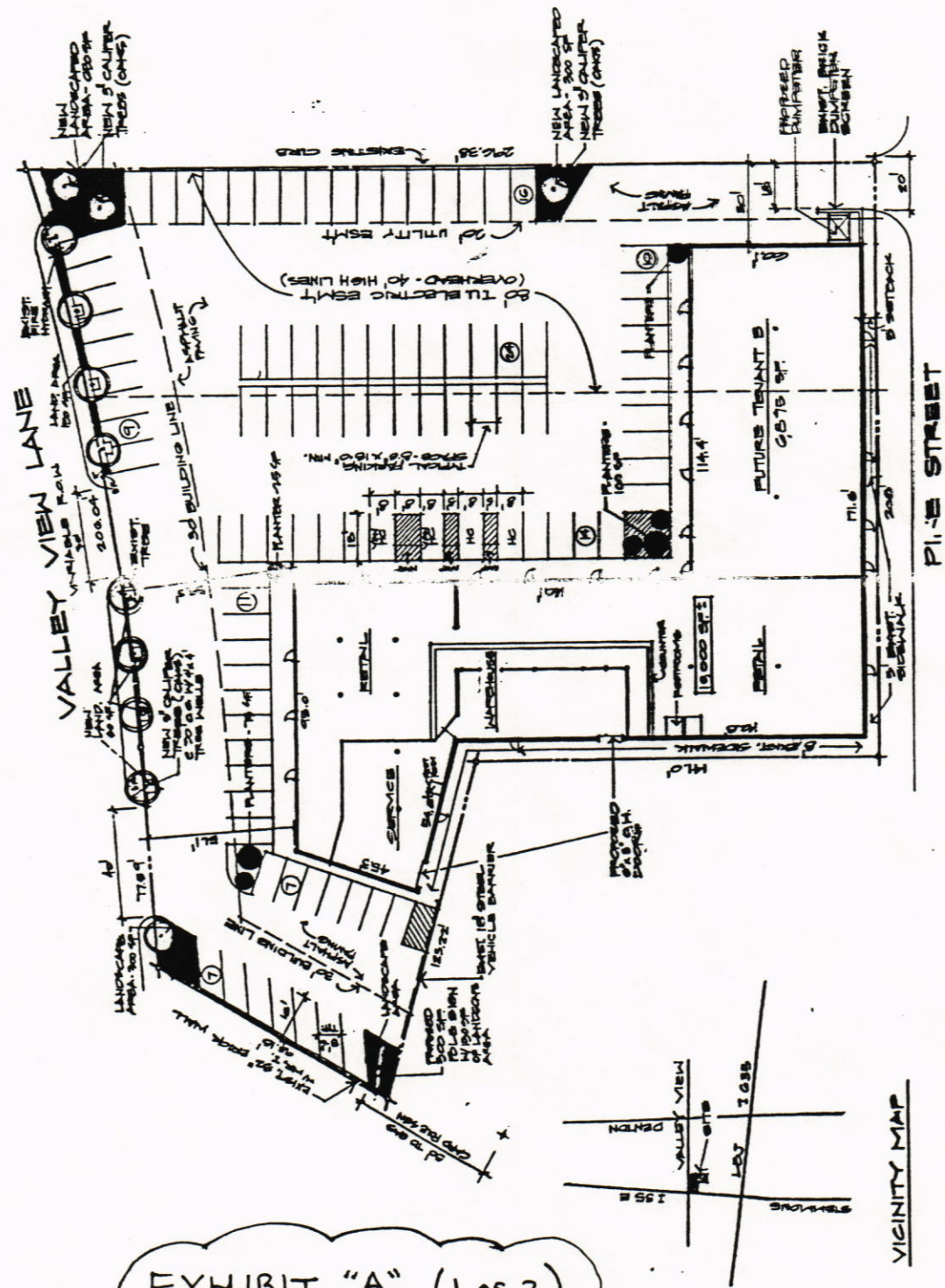
City Secretary

PROPOSED WALL SIGNAGE - 200'± MAX	
PROPOSED PUB SIGNAGE - 500'± MAX	
FREEMAN ZONING	1.52 ACRES OR 66,468 SF
TOTAL LAND	66,468 SF
RETAIL A	6,150 SF
WAREHOUSE 1/100	1,500 SF
SERVICE 1/100	1,750 SF
TOTAL	10,000 SF
TENANT B (FUTURE)	6,875 SF
TOTAL BUILDING AREA	16,875 SF
PARKING REQUIRED	42 SPACES
PARKING PROVIDED	18 SPACES
COVERAGE	25%
EXIST. LANDSCAPE AREA	940 SF
NEW LANDSCAPE AREA	1,270 SF
TOTAL LANDSCAPE AREA	1,810 SF
	APPROX. 8 1/2%

- PROPOSED PLANT MATERIAL**
- 100 GAL AREA
 - 2 GAL TREES - 6" DB CRATE MYRTLES
 - 80 GROUNDCOVER - 4" MONKEY GRASS
 - 10 SHRUBS - 8 GAL. CARISSA HOLLY
 - PERIMETER AREA
 - 10 SHRUBS - 5 GAL. CARISSA HOLLY
 - 4 GAL TREES - 6" DB CRATE MYRTLES
 - BARREL PLANTERS
 - 5-1/2-20 GAL. MONKEY BARREL
 - 2-20 GAL. MONKEY BARREL
 - ROCK IN BOTTOM
 - ROTTLING SOIL
 - (TUCK, FLOWERS, ETC.)

REVISED 11/22/94
 REWROD 11/21/94
 10/18/94

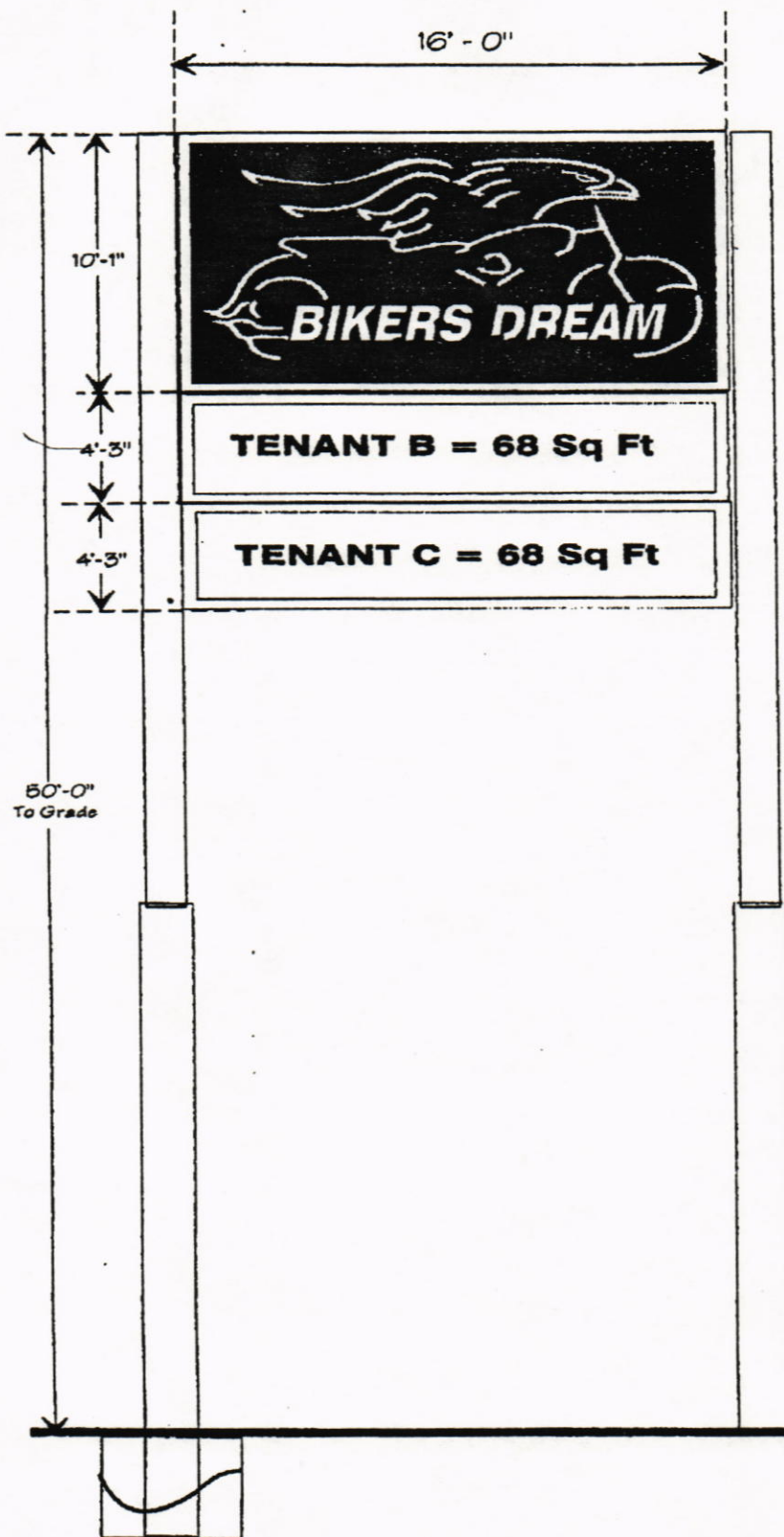
A SPECIFIC USES PERMIT FOR:
 BIKER'S DREAM SUPERSTORE
 2450 VALLEY VIEW LANE
 FARMERS BRANCH, TX



SITE PLAN
 SCALE 1" = 20'



EXHIBIT "A" (1 OF 2)



1] ALL CABINETS 24" DEEP
METAL CABINET & 4"
RETAINERS W/DUPONT
ENAMEL FINISH

2] ALL SECTIONS W/FLEXIBLE
VINYL FACES- COPY SPRAYED
OR VINYL ON FACE.

3] ALL SECTIONS INTERNALLY
ILLUM W/800 MA DHO SIGN
LAMPS. = 50.0A TOTAL

11X18: 18] 120T12 ON
4] 3942 = 20.0A

5X18 = 18] 60T12 ON
3] 3942 = 15.0A

4] STAGED PIPE: 30' OF 16" / .375"
BASE (11.5' BELOW GRADE) + 33.5'
OF 12" / .75" / .375" (PER SIDE)
DUPONT FINISHED

5] FOOTING: 3.5' DIAM X 11.5'
DEEP @ EA POLE @ 3.8 CU YDS
= 7.6 CU YDS TOTAL

10.083' x 16' = 161.3 SQ FT
8.5' x 16' = 136.0 SQ FT

297.3 SQ FT

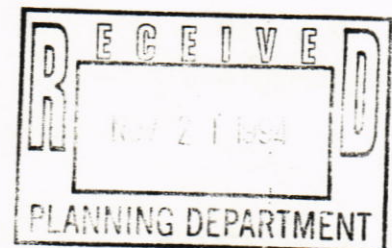


EXHIBIT "A" (2 OF 2)

 StarliteSign <small>of Denton, Inc.</small> 7923 E. McKinney Denton, TX 76208 (817) 382-8850 fax: (817) 387-0429	CUSTOMER	CASEY INTERNATIONAL
	LOCATION	2430 VALLEY VIEW
	CITY, STATE	FARMERS BRANCH, TEXAS
	ART	B. Casas
	SALES	Scott Stegall
	SKETCH #	1194-076
This drawing is the property of STARLITE SIGN of DENTON, INC. and all rights to its reproduction and display are reserved by STARLITE SIGN of DENTON, INC.	SCALE	3/16" = 1'
	DATE	11-18-1994

C.3 PUBLIC HEARING: CONSIDER THE REQUEST OF "2430 VALLEY VIEW PARTNERSHIP" TO GRANT A SPECIFIC USE PERMIT TO ALLOW MOTOR VEHICLE SALES, INSTALLATIONS, AND REPAIR AT 2430 VALLEY VIEW LANE, WITHIN THE FREEWAY SUBDISTRICT OF THE PLANNED DEVELOPMENT NUMBER 70 (PD-70) ZONING DISTRICT AND TAKE APPROPRIATE ACTION.

Mayor Pro Tem Pyle presented the following information for consideration. 2430 Valley View Lane is the address of the existing one-story shopping center located at the southeast corner of Valley View Lane and Stemmons Freeway. The shopping center contains approximately 17,000 square feet of space and is presently vacant.

The applicant now owns the shopping center and intends to lease 10,000 square feet of space to Biker's Dream Inc., a new and used motorcycle sales, repair and accessories shop. As originally proposed, the use would be wholly enclosed indoors and have no outside storage or display of any kind. The service area will be accessed from the rear of the building and will not be visible from Valley View Lane.

Within the Old Farmers Branch Special District, reasonable exceptions to development standards may be requested of the Planning and Zoning Commission. At the applicant's request, the Commission granted three exceptions to the pole sign regulations: (1) an increase in sign area from 200 to 300 square feet, (2) a decrease in the setback along the Stemmons Freeway right-of-way from 30 feet to 5 feet, and (3) a reduction in the amount of landscaped area to be provided at the base of the sign from 300 square feet to 150 square feet.

During the Planning and Zoning Commission meeting, the applicant also requested that a limited amount of outdoor display area be provided on-site.

The Planning and Zoning Commission, by unanimous vote, recommends the Specific Use Permit be approved with the following conditions:

1. That the only types of motor vehicles that may be sold, repaired or worked on in any way shall be motorcycles.
2. That there be no outdoor storage of motorcycles or other merchandise of any kind.
3. That all installation, customization and repair work be conducted exclusively within the building.
4. That the height of the proposed pole sign comply with the requirements of Ordinance No. 2111.

5. That during regular business hours only, up to 5 new motorcycles may be displayed outdoors in no more than 2 designated parking spaces, the specific location being subject to Staff approval.

Following the Planning and Zoning Commission's action on this SUP request, it was determined that the content of the advertisements notifying the general public and neighboring property owners did not provide adequate reference to outdoor display. Consequently, the Commission's recommendation that limited outdoor display be permitted cannot be acted upon by the City Council. In order to allow any outdoor display, the request would have to be readvertised and reconsidered by both the Commission and City Council at a separate public hearing.

Whereas the Council cannot expand the scope of the present SUP request to consider outdoor display, and outdoor storage and display are already otherwise prohibited by PD-70, Staff recommends the request be approved subject to the same conditions recommended by the Commission with the exception of conditions 2 and 5. Furthermore, if so desired by Council, Staff will immediately initiate the necessary procedures to expedite a subsequent SUP to allow outdoor display as recommended by the Commission.

Mayor Pro Tem Pyle opened the public hearing.

Mr. Casey, a partner of 2430 Valley View Partnership, distributed pictures of the operation which is based in California. Mr. Casey stated this would be a Harley Davidson motorcycle dealership.

There being no other comments, a motion by Councilwoman Hardie, a second by Councilwoman Davis, all voting "aye", closed the public hearing.

Councilwoman Davis asked Mr. Casey if he was aware of the letter the City Council had received requesting this area be allowed to serve alcoholic beverages.

Mr. Casey stated he had been informed of the letter earlier, however the letter had nothing to do with their request.

Councilwoman Davis stated she believed there was a video describing the proposed business.

Mr. Scales stated there was a short video on the proposed business. Mr. Scales requested the Communication Department show the video at this time.

Mr. Escalante stated approval of this request would prohibit the outside storage and outside sale of motorcycles at this site. Mr. Escalante asked the applicant if this was fully understood.

Mr. Casey stated the applicant understood the conditions and it would create no problems.

There being no other discussion, a motion by Councilwoman Davis, a second by Councilman Moses, all voting "aye", adopted the following captioned Ordinance No. 2158 granting the Specific Use Permit subject to the conditions recommended by the Planning and Zoning Commission and as amended by Staff.

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW MOTOR VEHICLE SALES, INSTALLATIONS, AND REPAIR AT 2430 VALLEY VIEW LANE WITHIN THE FREEWAY SUBDISTRICT OF THE PLANNED DEVELOPMENT NUMBER 70 (PD-70) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EFFECTIVE DATE.

Councilwoman Davis asked when renovation of the building would start and the approximate date the business would open.

Mr. Casey stated with this approval plans to renovate the building would begin tomorrow and the business has plans to be open by January 1995.

- C.4 CONSIDER REQUEST BY TOM TAYLOR ON BEHALF OF THE TEXAS STATE ASSOCIATION OF FIRE FIGHTERS AND LOCAL 3325 OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS TO MEET WITH THE CITY COUNCIL TO DISCUSS CERTAIN HOLIDAY AND VACATION TIME FOR FIRE FIGHTERS AND RESTITUTION AND TAKE APPROPRIATE ACTION.

Mayor Pro Tem Pyle presented the following information for consideration. This request has been placed on the agenda at the request of Mr. Tom Taylor, a resident of Farmers Branch, representing the Texas State Association of Fire Fighters and Local 3325 of the International Association of Fire Fighters.

Mr. Tom Taylor stated he was a resident of Farmers Branch and a former fire fighter. Mr. Taylor gave a brief history of regulations regarding holiday and vacation time for Farmers Branch fire fighters. Mr. Taylor felt restitution was due the fire fighters and felt a meeting of the minds could accomplish this request.